

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JACOB ANDREW BERGERON,

Plaintiff,

CASE NO. C17-0821-TSZ

V.

REPORT AND RECOMMENDATION

MULTIPLE AND SEVERAL STATE AGENTS, et al.,

Defendants.

15 Plaintiff Jacob Andrew Bergeron is incarcerated at the Georgia State Regional Hospital in
16 Atlanta, Georgia (*see* Dkt. 5 at 1), and submitted a proposed civil rights complaint in May 2016.
17 (Dkt. 1.) In a letter dated May 26, 2017, the Court directed plaintiff to either pay the filing fee or
18 to submit an *in forma pauperis* (IFP) application, along with a certified copy of his prison trust
19 account statement showing transactions for the last six months. (Dkt. 2.)

20 Plaintiff submitted an IFP application in June 2017. (Dkt. 5.) By letter dated June 27,
21 2017, the Court noted a deficiency in the IFP application in the failure to include a certified copy
22 of plaintiff's prison trust account statement. (Dkt. 6.) The letter also stated that the proposed
23 action may be subject to dismissal if plaintiff did not respond by July 27, 2017.

REPORT AND RECOMMENDATION
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1 To date, the Court has not received a certified copy of plaintiff's prison trust account
2 statement or any response to the letter describing the deficiency in his IFP application.
3 Accordingly, the Court recommends this action be DISMISSED. Dismissal should be without
4 prejudice to plaintiff filing a new complaint, accompanied by either the filing fee or a completed
5 motion to proceed IFP, including a certified copy of plaintiff's prison trust account statement
6 showing transactions for the last six months.

7 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
8 served upon all parties to this suit within **twenty-one (21) days** of the date on which this Report
9 and Recommendation is signed. Failure to file objections within the specified time may affect
10 your right to appeal. Objections should be noted for consideration on the District Judge's motions
11 calendar for the third Friday after they are filed. Responses to objections may be filed within
12 **fourteen (14)** days after service of objections. If no timely objections are filed, the matter will be
13 ready for consideration by the District Judge on **September 8, 2017**.

14 DATED this 16th day of August, 2017.

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16 Mary Alice Theiler
17 United States Magistrate Judge
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